



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/898,921	07/23/1997	YOICHI YAMAGISHI	35.C9583-CI.	6547

5514 7590 05/18/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
----------	--------------

2612

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/898,921

Applicant(s)

YAMAGISHI, YOICHI

Examiner

LUONG T. NGUYEN

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27,29,33-35 and 37-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27,29,33-35,37-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 11/18/2004 have been fully considered but they are not persuasive.

In re pages 9-11, Applicant argues that nothing has been found in Yamagishi that combination of Bullock et al., Yamagishi, and Ogawa et al., fail to teach or suggest the system of claim 27, of a controller, communicatively coupled to the detector, the memory unit, and the display unit, that sets a connection flag in accordance with a detection result of the detector, and that automatically switches between a mode for displaying sequential images from the interface on the display unit and a mode for displaying the image from the memory unit on the display unit, in accordance with a state of the connection flag which is set.

In response, regarding claim 27, the Applicant amended claim 27 with the limitation “a controller, communicatively coupled to said detector, said memory unit, and said display unit, adapted to set a connection flag in accordance with a detection result by said detector and automatically to switch between a mode for displaying sequential images from said interface on said display unit and a mode for displaying the image from said memory unit on said display unit, in accordance with a state of the connection flag which is set.” The Examiner considers that the claim as amended still does not distinguish from combination of Bullock et al., Yamagishi, and Ogawa et al.. Bullock et al. discloses when power is turned on and when a picture is taken by pressing the picture button 117, the user could see the picture on the viewfinder window 170 (a mode for displaying sequential images from said interface on said display unit, Column 5, Lines 29-43). Bullock et al. also discloses the stack buttons 183 and 184

Art Unit: 2612

determine all images displayed are to be stacked (stored). And a second global stacking function allows only “stacked” images are displayed (column 5, lines 1-29). Note that these “images” were picked up by the camera. It clearly that images, which were picked up by the camera, are stacked (stored) and displayed. When the camera 118 in Bullock is disconnected from computer 100 (Figure 1), there is no image transmitted from camera 118 to computer 100, therefore, only stacked images are displayed (a mode for displaying the image from said memory unit on said display unit).

Bullock et al. does not disclose a controller adapted to set a connection flag in accordance with a detection result of said detector. However, Yamagishi teaches this feature, Yamagishi teaches an information recording device, in which the recording-medium discrimination flag is set according to the result of the detection of connection of the memory card 11 to the connector 13 (figure 4, column 7, lines 63-67).

Bullock et al. and Yamagishi do not disclose a controller adapted to automatically switch between two modes for displaying images. However, Ogawa et al. teaches this feature, Ogawa et al. teaches a videophone with detachable TV camera, in which the image displayed on CRT display 4 being automatically switched between a reflected image and a true image (figure 5, column 4, line 60 – column 5, line 28).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2612

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 27, 29, 33-35 and 37-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullock et al. (US 5,675,358) in view of Yamagishi (US 5,857,059) further in view of Ogawa et al. (US 4,928,300).

Regarding Claim 27, Bullock et al. disclose (Figures 1 and 2) an image processing system comprising an image pickup apparatus (118) including an image pickup unit (138); and an information processing apparatus (100) including an interface adapted to detachably connect said image pickup apparatus (See Figure 2 and Column 3, Lines 3-7 and Column 2, Lines 66-67 and note that the image pickup apparatus is clearly detachable since the computer is an off-the-shelf item to which the image pickup apparatus as a peripheral device clearly must be connected using a detachable connection); a detector adapted to detect that the image pickup apparatus is connected (See Column 5, Lines 8-13 and note that a detection of whether or not the camera is connected is inherent in the decision to supply power thereto); a memory unit adapted to store images which were picked up by said image pickup apparatus (Column 8, Lines 27-31); a display unit (114) adapted to display images picked up by said image pickup apparatus; and a controller, communicatively coupled to said detector, said memory, and said display unit, adapted to switch between a mode for displaying sequential images from said interface on said display unit (Column 5, Lines 29-43) and a mode for displaying the image from said memory unit on said display unit (Bullock et al. disclose the stack buttons 183 and 184 determine all images displayed are to be stacked (stored). And a second global stacking function allows only "stacked" images are displayed (column 5, lines 1-29). Note that these "images" were picked up

Art Unit: 2612

by the camera. It clearly that images, which were picked up by the camera, are stacked (stored) and displayed. When the camera 118 in Bullock is disconnected from computer 100 (Figure 1), there is no image transmitted from camera 118 to computer 100, therefore, only stacked images are displayed).

Bullock et al. fail to specifically disclose a controller adapted to set a connection flag in accordance with a detection result of said detector. However, Yamagishi teaches an information recording device, in which the recording-medium discrimination flag is set according to the result of the detection of connection of the memory card 11 to the connector 13 (figure 4, column 7, lines 63-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bullock et al. by the teaching of Yamagishi in order to let the operator recognize the status of the connection. This would let the user can select the desired mode for displaying image.

Bullock et al. and Yamagishi to specifically disclose a controller adapted to automatically switch between two modes for displaying images. However, Ogawa et al. teach a videophone with detachable TV camera, in which the image displayed on CRT display 4 being automatically switched between a reflected image and a true image (figure 5, column 4, line 60 – column 5, line 28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bullock et al. and Yamagishi by the teaching of Ogawa et al. in order to switch playing between two modes without user intervention. This reduces the operation of the user.

Art Unit: 2612

Regarding Claim 29, Bullock et al. disclose that the display unit displays an image sent from the image pickup apparatus in a window in a display screen thereon (Column 5, Lines 29-43).

Regarding Claims 33-35, Bullock et al. disclose that the display unit displays a result detected by the detecting means as marks that relate to a camera and indicate an image pickup condition thereof (Column 5, Lines 29-43).

As to Claims 37-41 see Examiner's comments regarding Claims 27, 29 and 33-35, respectively.

Regarding claims 42-43, Bullock et al. disclose wherein said controller controls said display unit so as to display the image picked up by said image pickup apparatus, during an image pickup operation by said image pickup apparatus (Column 5, Lines 29-60) and display the image stored in said memory unit, during a cessation of the image pickup operation by the image pickup apparatus (images from the stack 206 may be displayed in several ways, Figures 12 and 13, Column 7, Lines 59-67).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2612

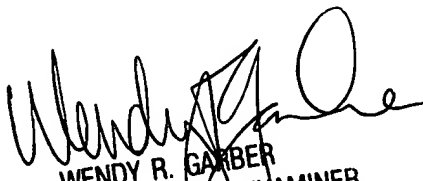
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T NGUYEN whose telephone number is (571) 272 - 7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272 - 7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN LN
5/13/05


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600